

Sharayu Khot.

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

NOTICE OF MOTION NO. 2064 OF 2017

IN

INCOME TAX APPEAL NO. 675 OF 2002

ALONG WITH

NOTICE OF MOTION NO. 2066 OF 2017

IN

INCOME TAX APPEAL NO. 676 OF 2002

ALONG WITH

NOTICE OF MOTION NO. 2067 OF 2017

IN

INCOME TAX APPEAL NO. 638 OF 2002

ALONG WITH

NOTICE OF MOTION NO. 2068 OF 2017

IN

INCOME TAX APPEAL NO. 639 OF 2002

Tulsidas V. Patel Pvt.Ld.

**...Applicant/
Appellant**

Versus

The Income Tax Circle 2(1)

...Respondent

Mr. Ravi Rattessar, i/by D.M. Harish & Co., for the Appellant.

Mr. N.C. Mohanty, for the Respondent.

**CORAM : M.S. SANKLECHA &
RIYAZ I. CHAGLA, JJ.**

DATE : 19 January 2018

ORDER :

1. These Notices of Motion have been taken out for recall of the order dated 27 June 2016 passed by this Court dismissing the four Appeals for non prosecution.

2. The Affidavit in Support of the Motion has been filed by the Advocate and he points out that these Appeals, relating to assessment years 1986-87, 1987-88, 1990-91 and 1991-92, were dismissed for non prosecution. In the Affidavit the Advocate states that there were some other Appeals relating to assessment years 1988-89, 1989-90 and 1993-94 pertaining to the Applicant and while checking their status, the Advocate for the Applicant realised that the four Appeals were dismissed for non prosecution. The Advocate further states that he missed noticing

the same when they were listed on board, resulting in the present Appeals being dismissed for non prosecution.

3. Therefore, as these four Appeals were dismissed for non prosecution on account of the Advocate missing the matter, when it was listed, we recall order dated 27 June 2016. The Appeals to be placed on board in its regular turn.

4. Notices of Motion disposed of in terms of prayer clause (a).

[RIYAZ I. CHAGLA J.]

[M.S. SANKLECHA, J.]